

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
THOMAS J. KOVACH,)
)
Defendant.)

CRIMINAL NO. 20-cr-30130-SMY

STIPULATION OF FACTS

The United States and the Defendant agree and stipulate as follows:

1. On or about July 15, 2020, in St. Clair County, Illinois, within the Southern District of Illinois, THOMAS J. KOVACH did knowingly distribute visual depictions containing child pornography, a file titled “https://mega.nz/folder/[URL removed]#M09Gyj9FrIlyMcmRN819dA”, which included, but is not limited to, the file “a 1 (79)_172.jpg”, which depicts minors engaged in sexually explicit conduct.

2. On or about July 17, 2020, in St. Clair County, Illinois, within the Southern District of Illinois, THOMAS J. KOVACH did knowingly distribute visual depictions containing child pornography, including a file titled, “VID-20160726-WA0000.mp4”, which depicts a minor engaged in sexually explicit conduct.

3. On June 12, 2020, KOVACH initiated a conversation with an FBI undercover agent via the social media application, Kik. KOVACH had the username “lovebbestl” and display name “KT”.

4. On July 15, 2020, KOVACH sent the FBI undercover the following messages:

KOVACH: https://mega.nz/folder/[URL removed]#M09Gyj9FrIlyMcmRN819dA

KOVACH: A gift for you

5. The FBI undercover agent followed the link and downloaded the material. The link contained 4,781 visual depictions (videos and pictures), most of which were child exploitative material. When the material was run through FBI systems, 1,347 of the files were immediately marked as "Illegal Child Abuse Material", which means that they have been seen and classified before by the FBI and NCMEC. Additionally, 282 files were classified as "Infant/Toddler" and 31 as "S&M/Violence".

6. On July 15, 2020, KOVACH sent the FBI undercover agent another link titled, "VID-20160726-WA0000.mp4". This link contained a video which depicted a minor engaging in oral sex with an adult woman.

7. During a post-arrest interview, KOVACH admitted that he was the one who had been chatting with the FBI undercover agent and sent the link. He further admitted that he knew the link contained minors engaged in sexually explicit conduct

8. Both links referenced in this Stipulation were shipped in interstate commerce.

9. All of KOVACH's criminal activity occurred in the Southern District of Illinois.

10. KOVACH stipulates that the facts set forth above prove beyond a reasonable doubt the conduct charged in Counts 1 and 2 of the Indictment.


SO STIPULATED.

UNITED STATES OF AMERICA,

STEVEN D. WEINHOFER
United States Attorney


THOMAS J. KOVACH
Defendant


KARELIA S. RAJAGOPAL
Assistant United States Attorney


JUSTIN A. KUEHN
Attorney for Defendant

Date: 1/15/21

Date: January 19, 2021